

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LETIZIA MARTINEZ DE GONZALEZ,
as administratrix and executrix of
the Estate of Emilio Martinez Manautou,
as Trustee of the Emilio Martinez Manautou
Trust, and as Trustee of the EMM Trust,

Plaintiff-Counterclaim Defendant,

- against -

UBS AG and UBS TRUSTEES LTD.,

Defendants-Counterclaim Plaintiff

and

UBS AG,

Third-Party Plaintiff,

- against -

ROBERT J. REGER, JR. and
THELEN, REID, BROWN, RAYSMAN &
STEINER, LLP,

Third-Party Defendants
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Case No. 07 Civ. 7462 (RJS)

**INITIAL DISCLOSURES OF THIRD-
PARTY DEFENDANTS ROBERT J.
REGER, JR. AND THELEN**

Pursuant to Fed. R. Civ. P. Rule 26(a)(1), Third-Party Defendants Robert J. Reger, Jr. (“Reger”) and Thelen, Reid, Brown, Raysman & Steiner, LLP (“Thelen”) hereby provide the following initial disclosures to Letizia Martinez de Gonzalez (“Plaintiff”) and to UBS AG (“UBS”).

These initial disclosures are based on information reasonably available to Reger and Thelen at this time. Reger and Thelen may amend or supplement these disclosures based upon

their continuing investigations and discovery pursuant to Fed. R. Civ. P. 26(e). Reger and Thelen's initial disclosures are made without waiving their right to object to any discovery request or other proceeding related to the subject matter of these disclosures based on competency, privilege, relevancy, materiality, hearsay, or any other proper ground for objection.

(A) Persons Having Relevant Knowledge (Fed. R. Civ. P. Rule 26(a)(1)(A))

Based on information currently available to Reger and Thelen, the following individuals may have knowledge of discoverable information that Reger and Thelen may use to support their claims and defenses:

Name	Contact Information	Subject Matter
Robert J. Reger, Jr., Esq.	Thelen May be contacted through counsel for Reger and Thelen.	Knowledgeable regarding Dr. Martinez, the EMM Trust, the Emilio Martinez Manautou Trust (the "Family Trust"), and work done by Thelen.
Douglas J. Allen, Jr., Esq.	Thelen May be contacted through counsel for Reger and Thelen.	Knowledgeable regarding Dr. Martinez, the EMM Trust, the Family Trust, and work done by Thelen.
Marcos D. Vigil, Esq.	Thelen May be contacted through counsel for Reger and Thelen.	Knowledgeable regarding Dr. Martinez, the EMM Trust, the Family Trust, and work done by Thelen.
Louise M. Fitzsimons, Esq.	Thelen May be contacted through counsel for Reger and Thelen.	Knowledgeable about the creation of the EMM Trust and the Family Trust.
Josefa Sicard-Mirabal, Esq.	United States Council for International Business, 1212 Avenue of the Americas, New York, NY 10036	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and work done by Thelen.
Michael LaMontagne	Merrill Lynch & Co., Inc., 1699 E. Woodfield Road, Schaumburg, IL 60173	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and the EMM Trust funds managed by Merrill Lynch.

William D. Signet, Esq.	Signet Ramos Abogados, 4100 Flagstaff, Austin, Texas 78759	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and Dr. Martinez's investment goals.
Letizia Martinez de Gonzalez	Administratrix and executrix of the Estate of Emilio Martinez Manautou as Trustee of the Emilio Martinez Manautou Trust, and as Trustee of the EMM Trust, may be contacted through her counsel, Mitchel H. Ochs, Anderson & Ochs, LLP, 61 Broadway, Suite 2900, New York, New York 10006	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, the work done by Thelen, and Dr. Martinez's investment goals.
Owen Pell, Esq.	White & Case LLP, 1155 Avenue of the Americas, New York, New York 10036	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and Dr. Martinez's investment goals; knowledgeable concerning UBS's role with the EMM Trust, the Family Trust, and Dr. Martinez, including the UBS accounts associated with Dr. Martinez, the EMM Trust, and the Family Trust.
Marissa Weinberger	UBS AG May be contacted through counsel for UBS AG.	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and Dr. Martinez's investment goals; knowledgeable concerning UBS's role with the EMM Trust, the Family Trust, and Dr. Martinez, including the UBS accounts associated with Dr. Martinez, the EMM Trust, and the Family Trust.
Alicia Trevino	c/o Michael Rodriguez, Esq. Rodriguez & Nicolas, LLP 1200 E Harrison St Brownsville, TX 78520	Knowledgeable concerning Dr. Martinez, the EMM Trust, the Family Trust, and Dr. Martinez's investment goals.
Don Scheier	Whitham Smith + Brown 175 5th Street Morristown, NJ 07960	Knowledgeable about the EMM Trust, the Family Trust, UBS's actions, and tax issues.

Reger and Thelen expressly reserve the right to supplement their disclosures and to add areas of knowledge of persons listed above, as well as additional persons, as further investigations and discovery continue.

(B) Documents, data compilations, and tangible things (Fed. R. Civ. P. Rule 26(a)(1)(B))

Reger and Thelen identify the following categories of documents within their possession, custody, or control that they may use to support their claims and/or defenses. The disclosure provided herein is based upon information reasonably available at this time. By disclosing the following categories of documents, Reger and Thelen do not waive any objections that they have or may have to producing these documents, including, but not limited to, objections based on the attorney-client privilege and attorney work product doctrine.

1. The Emilio Martinez Manautou Trust Agreement (the "Family Trust Agreement") and the EMM Trust Agreement, including amendments.
2. Documents related to the Family Trust Agreement and the EMM Trust Agreement, and other documents related to Dr. Martinez's financial and estate planning.
3. Documents related to the investments made by the Family Trust and the EMM Trust, including the intent and understanding of Dr. Martinez and/or Letizia Martinez regarding those investments.
4. Documents related to accounts held in the name of Dr. Martinez, the Family Trust, and/or the EMM Trust, including accounts at UBS.
5. Documents relating to the work done by Thelen regarding Dr. Martinez, the Family Trust and/or the EMM Trust, including documents related to the intent and understanding of Dr. Martinez and/or Letizia Martinez de Gonzalez as to the role of Thelen regarding Dr. Martinez's estate planning, the Family Trust, and the EMM Trust.
6. Documents relating to the intent and understanding of Dr. Martinez and/or Letizia Martinez de Gonzalez as to the terms, goals, and

requirements of the Family Trust Agreement and the EMM Trust Agreement and the investments made by the trusts.

7. Documents relating to the intent and understanding of Dr. Martinez and/or Letizia Martinez de Gonzalez as to the UBS accounts associated with Dr. Martinez, the Family Trust, and/or the EMM Trust.
8. Other documents that may be produced by Thelen or Reger, pursuant to Federal Rule of Civil Procedure 26(a)(1)(B).

Reger and Thelen's review and evaluation of documents in their possession, custody or control is continuing, and they reserve the right to supplement this list pursuant to Rule 26(e)(1).

(C) Computation of any category of damages (Fed. R. Civ. P. Rule 26(a)(1)(C))


Pursuant to Fed. R. Civ. P. 26(a)(1)(C), Reger and Thelen presently do not intend to seek damages in this action, but reserve the right to seek an award of attorneys' fees and costs after they prevail in this action, the calculation of which would be premature at this time.

(D) Indemnity and Insurance Agreements (Fed. R. Civ. P. Rule 26(a)(1)(D))

Pursuant to Fed. R. Civ. P. 26(a)(1)(D), Reger and Thelen will produce responsive insurance agreements after the entry of an appropriate confidentiality stipulation or protective order.

Dated: January 16, 2008

QUINN EMANUEL URQUHART
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and Thelen, Reid, Brown, Raysman & Steiner, LLP

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2008, I caused the following document:

**INITIAL DISCLOSURES OF THIRD-PARTY DEFENDANTS ROBERT J. REGER, JR.
AND THELEN**

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

- Mitchel H. Ochs, Esq. mochs@andersonochs.com
- Robert S. Goodman, Esq. rsgoodman@handlergoodman.com
- David L. Elsberg, Esq. davidelsberg@quinnemanuel.com

Dated: January 16, 2008
New York, N.Y.

QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP

By: /s/ David L. Elsberg
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